REMARKS

The Applicants thank the Examiner for the careful examination of this application. Claims 1 - 17 are pending and rejected.

Claim 1 positively recites a hard protective film overlaying the surface of the resonance film. These advantageously claimed features are not taught or suggested by the patent granted to Herrmann et al.

Herrmann et al. teaches away from the advantageously claimed invention because Herrmann et al. teaches the use of a solid phase binding matrix (column 2 lines 43-65). The self-assembled monolayer coating described by Herrmann et al. is simply a means to enable ligand attachment via standard silanization processes. The Applicants respectfully traverse the indication in the Office Action that the advantageously claimed hard protective film is described in column 2 lines 27 – 42. The Applicants submit that the metal or metal/oxide layer described in that portion of the Herrmann patent is the resonance film and not a hard protective film as advantageously claimed by the Applicants.

Therefore, the Applicants respectfully traverse the Examiner's rejection of Claim 1 and respectfully assert that Claim 1 is patentable over Harrmann et al. Furthermore, Claims 2 - 8 are allowable for depending on allowable independent Claim 1 and, in combination, including limitations not taught or described in the reference of record.

Claim 9 positively recites an overlying hard protective film. These advantageously claimed features are not taught or suggested by the patent granted to Herrmann et al.

Herrmann et al. teaches away from the advantageously claimed invention because Herrmann et al. teaches the use of a solid phase binding matrix (column 2 lines 43-65). The self-assembled monolayer coating described by Herrmann et al. is simply a means to enable ligand attachment via standard silanization processes. The Applicants respectfully traverse the indication in the Office Action that the advantageously claimed hard protective film is described in column 2 lines 27 – 42. The Applicants submit that the metal or metal/oxide layer described in that portion of the Herrmann patent is the resonance film and not a hard protective film as advantageously claimed by the Applicants.

Therefore, the Applicants respectfully traverse the Examiner's rejection of Claim 9 and respectfully assert that Claim 9 is patentable over Harrmann et al. Furthermore, Claims 10 - 15 are allowable for depending on allowable independent Claim 9 and, in combination, including limitations not taught or described in the reference of record.

Claim 16 positively recites a hard protective film overlaying the surface of the resonance film. These advantageously claimed features are not taught or suggested by the patents granted to Herrmann et al. or Melendez et al., either alone or in combination.

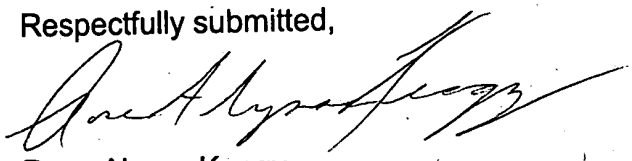
Herrmann et al. teaches away from the advantageously claimed invention because Herrmann et al. teaches the use of a solid phase binding matrix (column 2 lines 43-65). The self-assembled monolayer coating described by Herrmann et al. is simply a means to enable ligand attachment via standard silanization processes. The Applicants respectfully traverse the indication in the Office Action that Hermann teaches the use of "a hard protective film formed of a material selected from the group consisting of silicon carbide, diamond-like carbon, silicon dioxide, silicon nitride, titanium oxide, titanium nitride, aluminum oxide, aluminum nitride, beryllium oxide, and tantalum oxide." The Applicants submit that the metal or metal/oxide layer described in that part of the Herrmann patent, and referred to in the Office Action, is the resonance film and not a hard protective film as advantageously claimed by the Applicants.

Melendez et al. does not teach the advantageously claimed invention because Melendez does not teach the use of the advantageously claimed hard protective film. Furthermore, if the teachings of Herrmann et al. are somehow combined with the teachings of Melendez et al. the fictitious combination does not include a hard protective film, as advantageously claimed.

Therefore, the Applicants respectfully traverse the Examiner's rejection of Claim 16 and respectfully assert that Claim 16 is patentable over Harrmann et al. and Melendez et al. Furthermore, Claim 17 is allowable for depending on allowable independent Claim 16 and, in combination, including limitations not taught or described in the references of record.

For the reasons stated above, this application is believed to be in condition for allowance. Reexamination and reconsideration is requested.

Respectfully submitted,



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